

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

NORTHERN DYNASTY MINERALS
LTD., *et al.*,

Plaintiffs,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, *et al.*,

Defendants,

and

BRISTOL BAY NATIVE ASSOCIATE,
INC., *et al.*,

Intervenor-Defendants,
STATE OF ALASKA,

Plaintiff,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY,

Defendant,

and

TROUT UNLIMITED, *et al.*,

Intervenor-Defendants,

Case No. 3:24-cv-00059-SLG

CONSOLIDATED

LEAD CASE

Case No. 3:24-cv-00084-SLG

CONSOLIDATED

ILLIAMNA NATIVES, LTD, *et al.*,

Plaintiffs,

v.

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, *et al.*,

Defendants,

and

BRISTOL BAY ECONOMIC
DEVELOPMENT CORPORATION, *et al.*,

Intervenor-Defendants,

Case No. 3:24-cv-00132-SLG

CONSOLIDATED

[PROPOSED] ORDER EXTENDING ABEYANCE IN PART

Before the Court at Docket 157 is the Status Report and Request to Extend Abeyance in Part (“Report”) filed by plaintiffs in Case No. 3:24-cv-00059-SLG (collectively, “PLP”). Upon due consideration of the reasons stated in the Report, and for good cause shown, IT IS HEREBY ORDERED that:

1. The abeyance regarding the challenges to the January 2023 Final Determination of the U.S. Environmental Protection Agency Pursuant to Section 404(c) of the Clean Water Act [for the] Pebble Deposit Area, Southwest Alaska (“Final Determination”) is lifted. The Court will set a schedule for briefing the merits of the Final Determination after reviewing the parties’ submissions related to PLP’s Motion to Set Summary Judgment Briefing Schedule.

2. Matters related to the Army Corps' 2024 permit denial are held in abeyance pending further order of the Court.

3. Briefing regarding the pending Motion to Complete or Supplement the United States Army Corps of Engineers' Administrative Record, ECF 128, and Motion for Leave to Obtain Limited Discovery to Complete, or in the Alternative to Supplement, the Record, ECF 127, including Defendants' and Defendant-Intervenors' responses, remains stayed.

Dated this ____ day of _____, 2025.

BY THE COURT:

United States District Court Judge